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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/829,155

04/22/2004

Akira Jotaki

Q81211

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EXAMINER

KIM, PAUL D

ART UNIT

PAPER NUMBER

3729

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/02/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/829,155

Applicant(s)

JOTAKI, AKIRA

Examiner

Paul D. Kim

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 8-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 7 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/22/04, 1/24/06</u>  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This office action is a response to the restriction requirement filed on 12/19/2006.

#### ***Election/Restrictions***

1. Applicant's election of Group I, Species B, claims 1-7, in the reply filed on 12/19/2006 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 8-22 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 12/19/2006.

#### ***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: --A METHOD FOR CUTTING A GLASS SHEET--

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 3729

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Tausheck (US APT. 3,881,618).

Tausheck teaches a process of cutting a glass sheet comprising steps of: forming a linear groove (39) in a glass sheet (G) along a programmed cutting line that is set for the glass sheet; applying local pressure to an end of the groove by turning a handle (40) downwardly; and lifting one of two sections of the glass sheet divided by the groove with respect to the other one to form a V-shape section together, by using the groove as the fulcrum as shown in Fig. 4 (see also col. 6, lines 7-45).

6. Claims 1 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakatake et al. (US PAT. 6,827,623).

Nakatake et al. teach a process of making plasma display panels including processes of cutting a glass sheet comprising steps of forming a linear groove (36, as shown in Fig. 7A) in a glass sheet (32, 33, as shown in Fig. 7B) along a programmed cutting line that is set for the glass sheet; and applying local pressure to an end of the groove to break the glass sheet for a front glass panel and a back glass panel for the plasma display panels (see also col. 10, lines 32-59).

7. Claim 3 is rejected under 35 U.S.C. 102(e) as being anticipated by Yoshikuni et al. (US PAT. 6,402,004).

Yoshikuni et al. teach a process of cutting a glass sheet comprising steps of: forming a linear groove (DD1-DD34) in a glass sheet (420) along a programmed cutting line that is set for the glass sheet as shown in Fig. 20; and arranging an elastic plate (4913) at an end of the groove for dissipating pressure and arranging a pressure absorber (430) on the rear surface of the glass sheet opposing the end of the cutting line as shown in Fig. 24 (see also col. 27, line 20 to col. 28, line 16).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikuni et al. in view of Nakatake et al. (US PAT. 6,827,623).

Yoshikuni et al. teach all of the limitations as set forth above for manufacturing an electrical device such as optical device, but fail to use the separated glass sheet in a plasma display panel. Nakatake et al. teach a process of making plasma display panels including processes of cutting a glass sheet by applying local pressure to an end of the groove to break the glass sheet for a front glass panel and a back glass panel for the plasma display panels (see also col. 10, lines 32-59). Therefore, it would have been

Art Unit: 3729

obvious at the time the invention was made to a person having ordinary skill in the art to modify a process of cutting the glass sheet of Yoshikuni et al. by using the glass in plasma display panels as taught by Nakatake et al. in order to make a desired electrical device such as plasma display panels.

***Allowable Subject Matter***

10. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

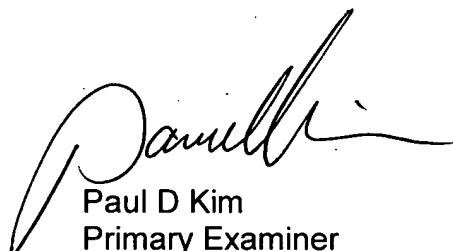
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul D. Kim whose telephone number is 571-272-4565. The examiner can normally be reached on Monday-Thursday between 6:00 AM to 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 3729

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Paul D Kim  
Primary Examiner  
Art Unit 3729